



Wilson Sonsini Goodrich & Rosati  
Professional Corporation  
1900 Avenue of the Stars  
Suite 2800  
Los Angeles, California 90067-4301  
O: 424.446.6900  
F: 866.974.7329

**VIA E-FILING**

February 5, 2024

Hon. John A. Kronstadt  
First Street Courthouse  
350 W. First Street, Courtroom 10B  
Los Angeles, CA 90012

**Re: *Schultz v. Thompson et al.* 2:23-cv-10759-JAK (MRWx)  
Evidentiary Submission on Order to Show Cause Why Plaintiff Should  
Not Be Deemed A Vexatious Litigant (ECF 20)**

Dear Judge Kronstadt:

The undersigned was counsel of record for YouTube LLC in the related case *Schultz v. Thompson*, Case No. 23-cv-03452-JAK (MRWx) (C.D. Cal.). YouTube has not been served in this action, but the undersigned is aware of Plaintiff's filings in this and other related cases as described in the Court's Order to Show Cause Why Plaintiff Should Not Be Deemed A Vexatious Litigant (ECF 20) ("OSC").

The Court's OSC accurately summarizes Plaintiff's public filings. The undersigned specially appears here to provide the Court evidence—set forth in the attached Declaration of Conor Tucker and exhibits thereto—regarding Plaintiff's litigation-related conduct, which has extended beyond those public filings, including repeated legal threats against YouTube's counsel. These threats explicitly sought to deter YouTube's counsel from opposing filings by Plaintiff that this Court has deemed "frivolous," "harassing," and "meritless," sought to motivate counsel's withdrawal, and to coerce other concessions.

First, Plaintiff has sent undersigned counsel over 150 emails, which make wild accusations, threaten counsel with civil, criminal and regulatory actions, and demand that counsel take some action adverse to YouTube's interests. These communications are often in parallel with the filings the Court identified in its OSC. Some illustrative examples include:

- A. On August 2, 2023, after YouTube filed a motion to dismiss Schultz's complaint in *Schultz v. Thompson*, Case No. 23-cv-03452-JAK (MRWx) (C.D. Cal.), Plaintiff emailed undersigned counsel, pressured him to "retract" his statements, and threatened that "I will sue you directly." See Tucker Decl., Exhibit A.
- B. In November 2023, Schultz emailed undersigned counsel that he had filed a complaint against the undersigned with the California State Bar. Schultz wrote this filing would mean that undersigned counsel would be "gone off this case." See Tucker Decl. Exhibits B, C.
- C. That same month, Plaintiff sent an email attacking undersigned counsel for "be[ing] an accomplice or aiding and abetting" and expressed his hope that counsel would be "disbarred." This was accompanied by a demand that counsel withdraw "from the case and have your client engage ien [sic] settlement." See Tucker Decl., Exhibit E.

**WILSON  
SONSINI**

Feb. 5, 2024  
Page 2

- D. On January 22, 2024, after suing Judge Whittaker in *Schultz v. Superior Ct. of Los Angeles*, Case No. 23-cv-10715-JAK-DTB (C.D. Cal.), Schultz emailed undersigned counsel demanding that he “start mediating now.” Schultz threatened that he would be “suing [counsel],” among other things for “scheming with [Judge] Whitaker.” He accused counsel of being a “criminal” and a “crook” who had “abet[ed] cyberstalking.” See Tucker Decl., Exhibit D.

In addition to these private direct communications, Schultz has publicly attacked undersigned counsel. This includes both profanity-laced videos, *see, e.g.*, <https://www.youtube.com/watch?v=F5MsPRBXQgA&t=275s> (dated Nov. 4, 2023), and social media postings. For example, after the undersigned published an unrelated article on developments in trademark law since the Supreme Court’s decision in *Jack Daniel’s v. VIP Products*, Schultz posted:



This out-of-court conduct gives further relevant context to the “pattern of frivolous and harassing filings by Plaintiff” identified in the Court’s OSC, and may bear upon the Court’s consideration of the issues. *See Molski v. Evergreen Dynasty Corp.*, 500 F.3d 1047, 1062 (9th Cir. 2007) (“False or grossly exaggerated claims of injury, especially when made with the intent to coerce settlement, are at odds with our system of justice....”).

Sincerely,

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

/s/ *Conor Tucker*

Conor Tucker

cc: Todd Michael Schultz (via e-filing)  
Enclosure: Declaration of Conor Tucker and Exhibits Thereto